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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Sang-Duck Kim

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EXAMINER

ANDRAMUNO, FRANKLIN S

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/525,120	Applicant(s) KIM, SANG-DUCK	
	Examiner FRANKLIN S. ANDRAMUNO	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/07/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Response to Arguments

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable by Plotnick et al (US 2005/0097599 A1) in view of Gerszberg et al (US 2006/0159116 A1). Hereinafter referred as Plotnick and Gerszberg.

Regarding claim 1, Plotnick discloses a real-time service system using an interactive data communication (**Figure 4**), the system comprising: a plurality of digital set-top boxes of users (**Set Top (440) in figure 4**) for replaying service contents selected by the user in real time (**page 10 paragraph (0146) lines 7-10**) through a television by being supplied through a telephone line of a very high-data rate digital subscriber line (VDSL) (**page 6 paragraph (0109) lines 1-3**), a number of system operating device installed by a predetermined region unit (**Figure 6B**) and connected to the plurality of digital set-top boxes of the users in a corresponding region via a

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telephone line of the VDSL for supplying the service contents required at a corresponding set-top box in real time **(figure 4)** by the interactive data communication with an arbitrary digital set-top box; and a service providing device for storing various service contents received from a contents providing device and for supplying the corresponding service contents to a corresponding system operating device in real time in response to a service content request from the system operating device inputted through the Internet **(page 3 paragraph (0064))**.

However, Plotnick fails to disclose the service contents comprising audio/image signals from the telephone line, wherein the audio/image signals from the telephone line, wherein the audio/image signals are transmitted to an MPEG data storing block, and wherein the plurality of digital set-top boxes of users further comprise an audio/image switching block for replaying through the television the service contents received from the MPEG data storing block and selected by the users. Gerszberg discloses on **(figure 1a)** a system which involves a telephone system capable of handling video and data communication as disclosed in step (10) T/R Ethernet CPE. Moreover, **(page 8 paragraph (0073) lines 3-6)** discloses that the current invention supports a VDSL system. In addition, **(page 11 paragraph (0093) lines 1-3)** discloses that the current invention support an MPEG system.

Therefore, it would have been obvious at the time of the invention to include the use of a telephone system capable of receiving and sending video and data communication. This is a useful combination because phone video is a useful

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application for people living in different countries. Video and data communication on telephone systems are useful for maintaining a personal interaction between users.

Regarding claim 2, Plotnick discloses the system of claim 1, wherein the system operating device includes: a storing block for storing the service contents supplied from the service providing device **(Video Storage (620) and Data Storage (624) in figure 6A)**; a media server **(Video Server (422) in figure 5)** for receiving the service contents supplied from the service providing device by connecting to the Internet through a cable or an optical cable and for temporally storing the same at the storing block and outputting the same **(Figure 9)**; a multi-point distribution unit for setting a plurality of transmission paths for the service contents outputted from the media server and outputting the same **(Figure 10)**; and a private branch exchange for transmitting the service contents from the multi-point distribution unit to a corresponding digital set-top box through a telephone line **(Web Server (916) in figure 9)**.

Regarding claim 3, Plotnick discloses the system of claim 2, wherein the media server incorporates therein a function of a voice over Internet protocol (VOIP) router to implement the VOIP service **(Page 7 paragraph (0116))**.

Regarding claim 4, Plotnick discloses the system of claim 2, wherein the media server and the multi-point distribution unit are connected to each other through a communication network **(Figure 4)**.

Regarding claim 5, Plotnick discloses the system of claim 4, wherein the transmission rate between the media server and the multi-point distribution unit is expressed in gigabits **(page 7 paragraph (0114))**.

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Regarding claim 6, Plotnick discloses the system of claim 1, wherein the service providing device includes: a first storing block for storing contents related to various services (**Video Storage (620) in figure 6a**); a streaming server for transmitting the service contents stored at the first storing block to the system operating device through the Internet (**Web Server (916) in figure 9**) and for inputting the inputted service contents to the first storing block (**Data Storage (624) in figure 6a**); a switching block installed between the first storing block and the streaming server for switching a movement of the service contents between the first storing block and the streaming server (**Switch (424) in figure 4**); a web/database server for transmitting the various service contents supplied from the contents providing device through the Internet to the streaming server (**Internet in figure 9**); a second storing block for storing a subsidiary information of the service content stored at the first storing block; and a manager personal computer (PC) for implementing search, insert, delete, update and reconstruction for the subsidiary information stored at the second storing block by sending a data manipulation language (DML) to the web/database server (**Figure 11**).

Regarding claim 7, Plotnick discloses the system of claim 6, wherein the first storing block are separated to a multiple number in a physical sense, but they are one storing space in a logical sense and are expandable (**Data Storage (624) in figure 6a**).

Regarding claim 8, Plotnick discloses the system of claim 6, wherein the steaming server is at least one (**STB Data Server in figure 11**).

Regarding claim 9, Plotnick discloses the system of claim 6, wherein the subsidiary information stored at the second storing block is the serial number and

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position of each service contents (**page 12 paragraph (0161) lines 1-8**), interface information of each service operating device (**Figure 9**), interface information of the contents providing device, charging information and information required for the operation of the other service providing devices (**Rating and pricing module (928) in figure 9**).

Regarding claim 11, Plotnick discloses the system of claim 1, wherein, in the digital set-top box, personal information, e.g., name, address, the information of credit card, identification (ID) card information or the like (**Traffic and Billing System (712) in figure 7**), of the user of a corresponding digital set-top box are additionally stored in the ROM or are stored at a memory including a magnetic card, an IC card or hardware or the like, and a device to access the magnetic card, IC card or hardware or the like is attached to the digital set-top box to be utilized as the personal information and security and charging information (**Disk Drive (336) in figure 3**).

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKLIN S. ANDRAMUNO whose telephone number is (571)270-3004. The examiner can normally be reached on Mon-Thurs (7:30am - 5:00pm) alternate Fri off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571)272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art
Unit 2623